



# City of Carmel

## **CARMEL PLAN COMMISSION SPECIAL STUDIES COMMITTEE FEBRUARY 3, 2004**

The regularly scheduled meeting of the Special Study Committee met at 7:00 PM on Tuesday, February 3, 2004 at 7:00 PM in the Council Chambers of City Hall.

Members present were: Jerry Chomanczuk; Wayne Haney; Mark Rattermann; Madeleine Torres. Jerry Chomanczuk was elected Chairperson by unanimous consent.

Anmgie Butler and John Molitor, legal counsel, attended the meeting on behalf of the Department of Community Services.

The following items were considered:

1. **Docket No. 167-03 ADLS (#03110003) (*TABLED to March 2, 2004*)  
Meridian Technology Park, Corvasc Medical Office Building**  
The applicant seeks approval to build a medical office building. The site is located at the on the south side of College Ave., 1/8 mile east of Pennsylvania St. The site is zoned B-2.  
Filed by Mark Monroe of Drewry Simmons, Pitts & Vornehm for REI Investments, Inc.
2. **Docket No. 164-03 DP/ADLS (#030100016) Tom Wood Subaru**  
The applicant seeks to construct a new auto sales building. The site is located at 3230 E 96th Street. The site is zoned B-3/Business.  
Filed by Lawrence Lawhead of Barnes & Thornburg.

Lawrence Lawhead, attorney with Barnes & Thornburg, Indianapolis appeared before the Committee representing the applicant; this particular Docket was referred to the Committee by the full Commission on January 20, 2004.

The proposed Tom Wood Subaru sales building will be constructed at 3230 East 96<sup>th</sup> Street and the existing Ziebart building will be razed. Renderings of the proposed building were included in the information materials.

One of the issues raised at the Plan Commission meeting was the huge expanse of the west wall of the property and the possibility of relief through architectural element or landscaping. Mr. Lawhead said the 8-foot split-block wall is actually on the Penske property. The applicant is allowing green space to the front of the building and can perhaps increase the landscaping on the west side to break up the wall.

Mike Hoff, Engineer, addressed the Committee and stated he has met with Urban Forester Scott Brewer. Street trees and ornamental trees will be utilized in the landscaping plans. Also, low shrubs will be incorporated into the plan so as not to obscure the building and the cars.

Another issue was the installation of the asphalt walkway along 96<sup>th</sup> Street, required by the Alternative Transportation Plan. The petitioner agreed to install the asphalt path whenever the City requires it, and is formally

committed to do so. The petitioner will work with the City Engineer to coordinate the path. Note: Payment to the City now in exchange for construction of the path in the future is also acceptable.

An issue brought up by Mark Rattermann at public hearing was the parking of cars on the grass within the right-of-way. This situation will be resolved with the installation of the Asphalt Path as required under the Alternative Transportation Plan. Overflow parking will be directed to the rear of the building.

The applicant is proposing a ground sign on 96<sup>th</sup> Street and requesting 5 additional through variances filed with the Board of Zoning Appeals. The ground sign will tie-in with the materials and design of the building.

Department Report, Angie Butler. The applicant did not address the 75 foot one-half right-of-way required along 96<sup>th</sup> Street and any approval should be conditioned upon the dedication of right-of-way. Otherwise, the Department is recommending the Committee forward this item to the full Commission with a favorable recommendation.

Larry Lawhead responded that the applicant is prepared to dedicate a 75- foot one-half right-of-way along 96<sup>th</sup> Street.

Jerry Chomanczuk referred to a discrepancy in the drawings of the buildings that shows the split block concrete masonry on the southern elevation above the roof line (tab 8) and not shown under tab 7. The stucco finish shown in the rendering in tab 7 is preferred. Jerry Chomanczuk noted that the footprint of the building will double and wanted to know how that would impact the parking to the rear of the building. The "Service" sign is still an issue.

Lawrence Lawhead responded that the applicant will finish the building in stucco shown in tab 7. Under the Ordinance, the parking requirement is 64 spaces; the petitioner is providing 79 spaces. The applicant is willing to reduce the "Service" sign by half the size if it were illuminated.

Mark Rattermann recommended Docket No. 164-03 DP/ADLS, Tom Wood Subaru, for approval to the full Commission at its February 17<sup>th</sup> meeting conditioned upon the sidewalk/path and landscaping allowance conditions and the dedication of right-of-way along 96<sup>th</sup> Street, seconded by Madeleine Torres and approved 4-0.

**3. Docket No. 193-03 DP/ADLS (#03120009)  
Park Northwestern Lot 13A (Starbucks)**

The applicant seeks to construct a new commercial building. The site is located at the southwest corner of Michigan Rd & Northwestern Dr. The site is zoned I-1/Industrial within the US 421/Michigan Rd Overlay Zone.

Filed by Trent Newport of Crossroad Engineers.

Trent Newport of Crossroad Engineers appeared before the Committee representing the applicant. Also in attendance was George Small, architect with Design Plan.

The applicant is requesting approval for the construction of a commercial building located at the southwest corner of Northwestern Drive and Michigan Road. The building will be occupied by Starbucks on the south end, Charter One Bank in the middle unit, and a retail suite on the north end of the building.

Access to the site is through a shared drive with the Gas America site. In regard to the landscape plan, the applicant has met with Scott Brewer, Urban Forester, and Panhandle Eastern Pipeline Company, and both have accepted and approved the plan. A variance was granted by the BZA in January for landscaping and the lot size, since it is less than three acres within the Michigan Road Overlay.

Due to the constraints of the Panhandle pipeline and the drainage easement, the petitioner has agreed to re-locate the signage to the southeast corner of the site. A rendering was shown of the proposed sign. The landscaping along the

Panhandle pipeline easement are low growing to allow both a sight-line and small roots that would not interfere with the pipeline.

The drive-through design was shown. The bank will have a canopy at the window and the tube system. The Starbucks drive-through awning will be forward of the bank. There will be a total of two lanes, one for Starbucks, (to the inside) one for the bank.

In response to questions from the Committee, Mr. Newport stated that this design has been done before, an open concept on the inside, not necessarily a wall between the Bank and Starbucks, and it has been successful.

Department Report, Angie Butler. The Department is recommending this item be forwarded to the full Commission with a favorable recommendation.

Jerry Chomanczuk asked if there were any accommodation for a third tenant; Mr. Newport responded in the negative.

There was also a question regarding directional signs. The Department stated that traffic directional signs are exempt under the Ordinance.

Mark Rattermann questioned the location of the sign and the traffic flow in the morning peak hours that would be southbound. Would there be an issue with traffic driving beyond Starbucks then turning around? Mr. Newport stated they would prefer the sign location at the corner, but they had met with Panhandle Eastern and the County—the County will not allow the sign in the drainage easement.

In response to questions from Jerry Chomanczuk regarding outdoor seating areas for Starbucks pictured in the renderings, Mr. Newport said there is room for only two (umbrella) tables, four chairs each.

Mark Rattermann moved to forward Docket No. 193-03 DP/ADLS to the full Commission with a favorable recommendation, seconded by Wayne Haney, and approved 4-0.

**4. Docket No. 04010005 ADLS Amend:  
West Carmel Center, Block B, Lot 2-ADLS Amendment**

The applicant seeks to modify the previously approved site plan. The site is located southeast of Commerce Drive and West 106<sup>th</sup> Street. The site is zoned B-5 and is subject to the requirements of the US 421 Overlay.

Filed by Mark Monroe of Drewry Simmons Pitts & Vornehm for West 106<sup>th</sup> Properties.

Mark Monroe, attorney with Drewry Simmons Pitts & Vornehm, 8888 Keystone Crossing, Indianapolis, appeared before the Committee representing the applicant. Also in attendance: Frank Swiss, owner/developer of Carmel Center West, and Mila Slepaya, engineer with Mid-States Engineering.

The applicant is seeking approval of an ADLS Amendment application for building number 3 in Carmel Center West. The site is located south east of the intersection of 106<sup>th</sup> Street and Commerce Drive. An aerial photograph included in the informational packets more clearly delineates the site.

The site is east of buildings 1 and 2. Building 1 is almost identical to building 3; building 2 is the Union Federal Savings Bank, currently under construction and approved by the Plan Commission last fall.

Building 3 will be 10,600 square feet in size, professional and general office use. The building materials are brick and masonry as depicted on the color building elevations in the information packets. The design is one-story and will have an extensive landscape plan as approved in 2002. The lighting plan for this site is consistent with buildings 1 and 2, and consists of six light poles with shoe-box style fixtures.

S:\PlanCommission\Minutes\Committees\SpSt2004feb

3

The signage is to be consistent throughout with all tenants. The signs are individual letters constructed of dark bronze material, back lit—consistent with building number one.

Department Report, Angie Butler. Ms. Butler requested a photograph of the existing building and the petitioner complied. At this time, the Department is recommending that the Committee approve this request—Committee approval only required.

Jerry Chomanczuk asked about the number of parking spaces that number approximately 40. There are six business—will 40 spaces be sufficient?

Mark Monroe responded that the site plan indicates 43 parking spaces, 35 are required by the Ordinance. It is anticipated that 43 parking spaces will be more than adequate.

Mark Rattermann moved for approval of **Docket No. 04010005 ADLS Amend, West Carmel Center, Block B, Lot 2-ADLS Amendment**, seconded by Madeleine Torres, **APPROVED 4-0**.

Note of Interest: Due to the fact that informational materials were received on item 7 this evening, the Committee will recess following item 5 to study the submission materials.

**5. Docket No. 194-03 Z (#03120010) Miller Property - Rezone**

The applicant seeks to rezone 3 acres from S-1/Residence to B-3/Business within the US 421/Michigan Rd Overlay Zone. The site is located at 11411 N Michigan Road.

Filed by David Warshauer, attorney, for Margaret M. Miller Living Trust.

Dave Warshauer, attorney with Barnes & Thornburg, 11 South Meridian Street, Indianapolis, appeared before the Committee representing the applicant. Mr. Warshauer stated that the applicant has filed a formal amendment to fully amend his petition from B-3/Business to B-5/Business Zoning District. The petitioner has also proposed certain commitments as a result of consultation with representatives of the Woodhaven Subdivision.

Dave Warshauer referred to the list of permitted uses within the B-5/Business District. The permitted uses are as follows: Single family and two family dwellings; a clinic or medical health center; a research laboratory facility; general offices; (such as the one being proposed) professional offices; a post office; a public service facility; a financial institution including an ATM facility; a veterinary hospital without commercial kennel; general agriculture; a public park. The B-5 permitted uses are substantially more narrow than those as part of the original B-3 request.

In addition, a letter was received from Mr. Andreolli representing Woodhaven Subdivision. The Woodhaven residents would like to see certain of the B-5 uses prohibited. The applicant has prepared commitments that would prohibit certain uses within the B-5 District, including a commercial parking lot, a co-located antennae, all other radio-television transmission or telecommunications antennae or towers and a motor bus, or transportation facility—those uses would be restricted by commitment.

Mr. Andreolli has reviewed the commitments and use restrictions. The applicant has also agreed to provide a 30-foot greenbelt buffer along both the north and east sides of the property, similar to the buffer that would be required in the 421 Overlay Ordinance.

At this time, it is the petitioner's intent to renovate the existing structures to accommodate a real estate office; otherwise, the property would be left "as it is." The commitments state that as long as the property is left with these structures, the existing landscaping and vegetation would be sufficient for the greenbelt buffer. If, in the future, someone were to attempt another kind of development, they would need to come before the Plan Commission for ADLS approval. The commitments provided specify that the greenbelt along Woodhaven would be composed of shade trees, ornamental trees, shrubs, ground cover, grass, with a minimum of three shade trees and one ornamental tree per 100 linear feet—the standard of the US 421 Overlay Ordinance—also acceptable to Mr. Andreolli's clients.

S:\PlanCommission\Minutes\Committees\SpSt2004feb

4

**The public hearing remains open on this item.**

At this time, Jerry Chomanczuk asked for members of the public to come forward and speak in favor or opposition to this petition. No one appeared.

Department Report, Angie Butler. The Department has no outstanding concerns and recommends this item be forwarded to the full Commission with a favorable recommendation.

Dave Warshauer commented that the applicant has also filed for ADLS approval and will be returning to the full Commission in March after appearing at the Technical Advisory Committee. There will be more detail and color photographs presented with the March information booklets.

Jerry Chomanczuk asked about the two existing buildings on the property in addition to the home.

Dave Warshauer stated that the existing additional buildings will be kept intact, even though they will not be used as a part of the office use.

Mr. Alexander, owner of the Century 21 Real Estate office, addressed the Commission and confirmed that the garage will remain on the property. Mr. Alexander commented that it is difficult to find an affordable location in the Zionsville/Carmel area that is visible from the Michigan Road corridor. Mr. Alexander's intent is to leave the property exactly as is, because it fits, aesthetically, with the neighborhood. The ground sign will be on a knoll, visible from the north and the south. Convenience is more important for the office than visibility.

Mark Rattermann made formal motion to forward Docket No. 194-03 Z Miller Property Rezone to the full Commission with a positive recommendation, together with commitments as tendered, seconded by Wayne Haney and approved 4-0.

At this time, the Committee took a short recess.

**6. Docket No. 04010016 ADLS Amend:  
Indiana Developmental Training Center-ADLS Amendment**

The applicant seeks approval for a temporary classroom. The site is located at 11075 North Pennsylvania Street. The site is zoned B-6/Business.

Filed by Richard Steldt of Richard F Steldt & Assoc. for the Indiana Developmental Training Center.

Mike Flores, Director of Indiana Developmental Training Center appeared before the Committee representing the applicant. The petitioner intends to eliminate the current loading dock on the southeast corner of the building and replace with a covered playground. There will also be three modular classrooms placed temporarily while the building addition is being constructed.

Department Report, Angie Butler. The Department has no outstanding concerns and recommends approval, subject to removal of the temporary classrooms within 30 days of the issuance of a Certificate of Occupancy for the building addition.

The petitioner hopes to commence construction in early April and complete in approximately 10 months. The petitioner would like to move the children into the modular classrooms just prior to construction. Stone will be spread in the area north of the ambulance/fire lane to allow for a 20,000-pound vehicle and this is acceptable to Gary Hoyt of the Carmel Fire Dept.

S:\PlanCommission\Minutes\Committees\SpSt2004feb

5

Mr. Flores stated the temporary classrooms do not have plumbing/restroom facilities. The classrooms will be less than 100 feet from a public restroom.

Mark Rattermann moved for approval of **Docket No. 04010016 ADLS Amend, Indiana Developmental Training Center, ADLS Amendment**, seconded by Wayne Haney and **APPROVED** 4-0 (including eliminating the loading dock.)

**7. Docket No. 04010015 ADLS Amend: North Augusta, Sec 1, part lots #10-11  
Pyramid Corner North-ADLS Amendment**

The applicant seeks to modify the previously approved sign package plan. The site is located at the northeast corner of Michigan Road and West 96th Street. The site is zoned B-2/Business within the US 421 Overlay Zone.

Filed by Nancy Long of A-1 Expeditors, Inc. for A & A Development.

Nancy Long of A-1 Expeditors appeared before the Committee on behalf of A&A Development. The applicant is requesting approval to modify a previously approved sign package for Pyramid Corner North. Currently, cabinet signs only are allowed and the applicant would like to change to individual letter signs, non-illuminated.

The applicant would like approval to eliminate a cabinet sign now, starting with the El Porton Restaurant, and as new tenants move in and signage is changed, individual letters would be used. The color scheme requested would be red, green, blue, black, yellow and white. However, the petitioner is willing to limit colors in accordance with the Department Report.

Department Report, Angie Butler. The petitioner has addressed the Department request to set a limit on the maximum number of colors per sign, excluding the logo. The Department is recommending the Committee approve this request.

Madeleine Torres requested a color photograph of the current signage.

In response to questions from Mark Rattermann, Nancy Long stated that the letters are 2 feet tall, 20 feet wide, 40 square feet. Again, the letters are non-illuminated; however future letters, with the Committee approval, will be externally lit with a spotlight.

Nancy Long clarified that the request is for the removal of the cabinet signage and to allow individual letter signs. Each new tenant would have individual letters, non-illuminated.

The existing two signs would be eliminated and “El Porton” would take up the space of the two—only one restaurant, signage centered. Eventually, the other buildings will be razed, only the restaurant and the florist will remain.

Jerry Chomanczuk agreed that the color palette is to be limited to two or three; the word “restaurant” is large and does not fit.

Angie Butler clarified that the petitioner will not be appearing before the Committee for final sign—it will go to the Sign Officer according to approval of the Committee.

Mark Rattermann moved for approval of **Docket No. 04010015 ADLS Amend, North Augusta, Sec 1, part lots #10-11, Pyramid Corner North ADLS Amendment, subject to** commitments for individual, block letters and limited colors of green, black, and white, seconded by Madeleine Torres and **APPROVED** 4-0.

**8. Docket No. 04010014 ADLS Amend: Long Branch Estates, Sec 3-ADLS Amendment**

S:\PlanCommission\Minutes\Committees\SpSt2004feb

6

The applicant seeks approval for subdivision entry monuments. The site is located at West 121st Street and Auburn Creek Crossing. The site is zoned S-1/Residence-Estate.  
Filed by Doug Elmore of Northside Investments, LLC.

Doug Elmore of Platinum Properties, manager of the Northside Investments Long Branch Estates located off 116<sup>th</sup> Street and north to 121<sup>st</sup> Street.

The petitioner is requesting entry monuments for the second entrance into Long Branch off of 121<sup>st</sup> Street. At the time of Primary Plat approval, signage for this entry was not presented. The secondary entrance mirrors the main entrance off of 116<sup>th</sup> Street and has very low traffic. The entrance wall is brick with limestone bands and limestone cap, a 3X3 pillar with a carved monument saying "Long Branch Estates." One pillar would be installed on either side of the entrance.

Department Report, Angie Butler. Angie Butler asked if the plan included any landscaping around the pillars. Otherwise, the Department is recommending approval.

Mr. Elmore responded that annual plantings of flowers are planned around the pillars.

Mark Ratterman moved for approval of **Docket No. 04010014 ADLS Amend, Long Branch Estates, Sec 3-ADLS Amendment**, seconded by Wayne Haney and **APPROVED** 4-0.

**9. Docket No. 04010021 ADLS Amend: Original Plat of Carmel, lot 13  
Missing Pieces-ADLS Amendment**

The applicant seeks approval for a ground sign. The site is located at 30 N Range Line Rd. The site is zoned B-2/Business within the Old Town Overlay, Historic Range Line Sub-district.  
Filed by Cathy West for Missing Pieces.

Cathy West appeared before the Committee representing Missing Pieces. Ms. West is requesting approval for a ground sign located at 30 North Range Line Road, within the Old Town Overlay and Historic Range Line Sub-district.

The sign is black, wrought-iron and conforms to dimensions allowable under the Sign Ordinance. The applicant has filed for a sign permit through the Department of Community Services.

Department Report, Angie Butler. If the proposed sign were used in the future, it would not need to return to the Committee for review. At this time, the Department is recommending approval.

In response to questions from the Committee, Ms. West stated that the sign will be six feet high—4 feet for the sign, 2 feet off the ground. There will be low level landscaping (junipers) around the sign.

The sign will be placed with the framework of the black wrought-iron holder, 2 ½ to 3 feet from the sidewalk.

Mark Rattermann moved for approval of **Docket No. 04010021 ADLS Amend, Original Plat of Carmel, lot 13, Missing Pieces—ADLS Amendment**, seconded by Wayne Haney and **APPROVED** 4-0.

There being no further business to come before the Committee, the meeting was adjourned at 8:55 PM.

---

Jerry Chomanczuk, Chairperson

---

Ramona Hancock, Secretary  
S:\PlanCommission\Minutes\Committees\SpSt2004feb

